

Sims, Mark

From: Zhang, Xiao
Sent: Wednesday, March 26, 2014 10:40 AM
To: Sims, Mark; Lieben, Ivan
Subject: RE: BLP FOIA Assignment for EPA-R9-2014-004671

Does this FOIA request only apply to emails between Enforcement and North Coast/BLP? Does this mean ORC is not being FOIA-ed? The permits office received a separate FOIA, which they are responding to separately.

Mark, I can review the documents once you've pulled them, if you'd like. Since we have a confidentiality agreement with North Coast, we may be able to withhold some communications that, if released, would interfere with our enforcement case.

From: Sims, Mark
Sent: Tuesday, March 18, 2014 11:46 AM
To: Zhang, Xiao; Lieben, Ivan
Subject: BLP FOIA Assignment for EPA-R9-2014-004671

From: Salazar, Matt
Sent: Tuesday, March 18, 2014 11:43 AM
To: Sims, Mark
Cc: Jones, Joel E.; Johnson, Ivry
Subject: assigning to Mark Sims FW: FOIA Assignment for EPA-R9-2014-004671

Hi Mark,

I'm assigning this to you for air enforcement files. Please check in with Tiffani to see what/is she's able to reduce the scope.

Thank you,
Matt

From: Buchanan, Tiffini
Sent: Tuesday, March 18, 2014 11:36 AM
To: Salazar, Matt
Subject: FW: FOIA Assignment for EPA-R9-2014-004671

From: Rios, Gerardo
Sent: Monday, March 17, 2014 2:54 PM
To: Buchanan, Tiffini
Cc: Chen, Eugene; Kelly, Shaheerah; Wilder, Ceciley
Subject: FW: FOIA Assignment for EPA-R9-2014-004671

Hi Tiffini,

I'm assigning this FOIA to you. It's due 4/14/14

From: Wilder, Ceciley
Sent: Monday, March 17, 2014 2:46 PM
To: Rios, Gerardo
Subject: FW: FOIA Assignment for EPA-R9-2014-004671

We need to supply an assurance of payment letter on this.

Ceciley Elizabeth Wilder
U.S. EPA, Air Division
75 Hawthorne Street
San Francisco, CA 94105
415-947-4143

From: Johnson, Ivry
Sent: Monday, March 17, 2014 1:40 PM
To: Wilder, Ceciley; Cachuela, Liberty
Cc: McKaughan, Colleen
Subject: FW: FOIA Assignment for EPA-R9-2014-004671

If costs will exceed \$25.00, send me your cost estimate, so I can send assurance of payment letter & stop the clock.

Please forward to appropriate subject matter expert (SME) and copy FOIA Office for record keeping purposes

From: foia@erulemaking.net [<mailto:foia@erulemaking.net>]
Sent: Monday, March 17, 2014 1:29 PM
To: Johnson, Ivry
Subject: FOIA Assignment for EPA-R9-2014-004671

You have been assigned to the FOIA request EPA-R9-2014-004671. Additional details for this request are as follows:

- Assigned By: Ivry Johnson
- Request Tracking Number: EPA-R9-2014-004671
- Due Date: 04/14/2014
- Requester: Jeffrey Adkins
- Request Track: Simple
- Short Description: Blue Lake Power Inc, 200 Taylor Way, Blue Lake, CA
- Long Description: Please provide copies of all correspondence, including documents (with attachments), permits, information requests, etc., and including, but not limited to, electronic correspondence (email), between USEPA Region IX and (1) Blue Lake Power Inc. or its predecessors and owners Renewable Energy Providers Inc. and Ultrapower 3, and (2) the North Coast Unified Air Quality Management District, for the facility located at 200 Taylor Way in Blue Lake, California. This request covers the above listed materials dated and/or received between January 1, 1999 and March 15, 2014.

Sims, Mark

From: Lieben, Ivan
Sent: Monday, March 24, 2014 4:41 PM
To: Zhang, Xiao
Cc: Sims, Mark
Subject: RE: A phone conference re Blue Lake Power?

Either of those other dates work for me as well, though on Monday, I leave at 3, so it would have to be between 1-3. Mark? Feel free to set it up.

Ivan Lieben, Assistant Regional Counsel
U.S. EPA Region 9, 75 Hawthorne Street
San Francisco, CA 94105
(415) 972-3914

This email, including attachments, may contain information that is confidential and/or protected by the attorney/client or other privileges.

From: Zhang, Xiao
Sent: Monday, March 24, 2014 4:26 PM
To: Lieben, Ivan
Subject: RE: A phone conference re Blue Lake Power?

I'm going to be out this Friday but the other dates work for me.

From: ndiamond1@gmail.com [<mailto:ndiamond1@gmail.com>] **On Behalf Of** Nancy Diamond
Sent: Monday, March 24, 2014 4:00 PM
To: Lieben, Ivan; Zhang, Xiao
Subject: A phone conference re Blue Lake Power?

Hi Ivan and Xiao,

I understand that Blue Lake Power has responded to the NOV and asked to meet, I believe the date we are all reserving is April 18. We at the District are wondering if we can set up a phone conference before then to talk with you about the previous PSD analysis.

We are free this Friday afternoon (the 28th), Monday afternoon (the 31st) or Wednesday April 2. Do any of those times work for you?

Thanks so much.

Nancy

--

Nancy Diamond, Esq.
Law Offices of Nancy Diamond
822 G. Street, Suite 3
Arcata, CA 95521
ndiamond@ndiamondlaw.com

Telephone: (707) 826-8540

Facsimile: (707) 826-8541

This message is a PRIVATE communication. If are not the intended recipient, please do not read, copy or use it, and do not disclose it to others. Please notify the sender of the delivery error by replying to this message, and then delete it from your system. Thank you.

Sims, Mark

From: Christenson, Kara
Sent: Wednesday, March 19, 2014 1:37 PM
To: Lieben, Ivan; Sims, Mark
Subject: FW: Looking for Information on Blue Lake Power/ Ultra Power 3 / Renewable Energy Providers

Hi – I assume you have responded to her . . .

This email, including attachments, may contain information that is confidential and/or protected by the attorney/client or other privileges. If you are not an intended recipient, please delete this email, including attachments, and notify me by email or at (415) 972-3881.

Kara Christenson
Senior Counsel
U.S. EPA Region 9
75 Hawthorne Street, 16th Floor
San Francisco, CA 94105
phone: 415 972-3881 / fax: 415 947-4570
christenson.kara@epa.gov

From: Buchanan, Tiffini
Sent: Tuesday, March 18, 2014 11:16 AM
To: R9-AIR3; Bussey, Carol; Christenson, Kara; Coral, Edgar; Hong, Jeanhee; Kim, David; Leon, Sandra; Lieben, Ivan; Lyons, Ann; Mintz, Tom; Reich, Daniel; Riedel, Brian; Smith, Noah; Spiegelman, Nina; Walters, Julie; Wehling, Jefferson; Withey, Charlotte; Zabel, Allan; Salazar, Matt; Adeduro, Kingsley; Aldred, Charles; Basinger, David; Chew, Andrew; Ho, Yenhung; LOWE, DEBBIE; Sims, Mark; Steiner, Cyntia
Subject: Looking for Information on Blue Lake Power/ Ultra Power 3 / Renewable Energy Providers

Hi all,

In order to fulfill a FOIA request, I'm looking for information on the Blue Lake Power facility, formerly called Renewable Energy Providers, and before that, Ultra Power 3. I only see the files for Ultra Power 2. The request is for materials from January 1, 1999 to March 15, 2014. If you happen to have any of the files in your possession, please share them with me so that I may scan and send off for the request. I would need them by *March 25th* if you have anything.

Thanks so much!

Tiffini Buchanan
Environmental Engineer
Air Permits Office
EPA Region 9
(415) 972-3943

Sims, Mark

From: Wilder, Ceciley
Sent: Tuesday, March 18, 2014 1:40 PM
To: Johnson, Ivry; Salazar, Matt; Sims, Mark
Cc: McKaughan, Colleen
Subject: FOIA Assignment for EPA-R9-2014-004671

Per Mark Sims: This should also be given to the Enforcement Office. Mark also told me that he will let us know about the assurance of payment and also may need an extension

*Ceciley Elizabeth Wilder
U.S. EPA, Air Division
75 Hawthorne Street
San Francisco, CA 94105
415-947-4143*

From: Johnson, Ivry
Sent: Monday, March 17, 2014 1:40 PM
To: Wilder, Ceciley; Cachuela, Liberty
Cc: McKaughan, Colleen
Subject: FW: FOIA Assignment for EPA-R9-2014-004671

If costs will exceed \$25.00, send me your cost estimate, so I can send assurance of payment letter & stop the clock.

Please forward to appropriate subject matter expert (SME) and copy FOIA Office for record keeping purposes

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Subject: FOIA Assignment for EPA-R9-2014-004671

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- Assigned By: Ivry Johnson
- Request Tracking Number: EPA-R9-2014-004671
- Due Date: 04/14/2014
- Requester: Jeffrey Adkins
- Request Track: Simple
- Short Description: Blue Lake Power Inc, 200 Taylor Way, Blue Lake, CA

- Long Description: Please provide copies of all correspondence, including documents (with attachments), permits, information requests, etc., and including, but not limited to, electronic correspondence (email), between USEPA Region IX and (1) Blue Lake Power Inc. or its predecessors and owners Renewable Energy Providers Inc. and Ultrapower 3, and (2) the North Coast Unified Air Quality Management District, for the facility located at 200 Taylor Way in Blue Lake, California. This request covers the above listed materials dated and/or received between January 1, 1999 and March 15, 2014.

Sims, Mark

From: Sims, Mark
Sent: Tuesday, March 18, 2014 12:49 PM
To: Salazar, Matt
Subject: Big FOIA for EPA-R9-2014-004671(Blue Lake Power)

Sierra Research is asking us for ALL our files re: BLP

From: Salazar, Matt
Sent: Tuesday, March 18, 2014 11:43 AM
To: Sims, Mark
Cc: Jones, Joel E.; Johnson, Ivry
Subject: assigning to Mark Sims FW: FOIA Assignment for EPA-R9-2014-004671

Hi Mark,

I'm assigning this to you for air enforcement files. Please check in with Tiffani to see what/is she's able to reduce the scope.

Thank you,
Matt

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Sims, Mark

From: Salazar, Matt
Sent: Tuesday, March 18, 2014 11:42 AM
To: Buchanan, Tiffini
Cc: Sims, Mark; Chew, Andrew; Rios, Gerardo; Wilder, Ceciley; Jones, Bernard; Johnson, Ivry
Subject: RE: FOIA Assignment for EPA-R9-2014-004671

Hi Tiffini,

Thanks for forwarding this to me. If you could try to narrow down the scope, that would be great (and please let us know what the narrowing means). If Mark or Andrew have permitting files, they should provide a cost estimate and then the files to you after you're able to see if narrowing is possible. For enforcement files, we'll take care of the response (unless they don't want enforcement files).

Thanks,
Matt

From: Buchanan, Tiffini
Sent: Tuesday, March 18, 2014 11:36 AM
To: Salazar, Matt
Subject: FW: FOIA Assignment for EPA-R9-2014-004671

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To: Rios, Gerardo
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We need to supply an assurance of payment letter on this.

*Ceciley Elizabeth Wilder
U.S. EPA, Air Division
75 Hawthorne Street
San Francisco, CA 94105
415-947-4143*

From: Johnson, Ivry
Sent: Monday, March 17, 2014 1:40 PM
To: Wilder, Ceciley; Cachuela, Liberty

Cc: McKaughan, Colleen

Subject: FW: FOIA Assignment for EPA-R9-2014-004671

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Sims, Mark

From: Buchanan, Tiffini
Sent: Tuesday, March 18, 2014 11:23 AM
To: Chew, Andrew
Cc: Sims, Mark; Salazar, Matt
Subject: RE: Looking for Information on Blue Lake Power/ Ultra Power 3 / Renewable Energy Providers

Thanks, Andrew. I will work on narrowing down the request right now. Good idea. Thanks for getting back to me. I'll also wait to hear if Mark has anything as well.

From: Chew, Andrew
Sent: Tuesday, March 18, 2014 11:22 AM
To: Buchanan, Tiffini
Cc: Sims, Mark; Salazar, Matt
Subject: RE: Looking for Information on Blue Lake Power/ Ultra Power 3 / Renewable Energy Providers

Hi Tiffini,

For all(?) materials from January 1, 1999 to March 15, 2014, that sounds really broad. Have you been successful in asking the requester to clarify the scope? (Not sure if there's an assurance of payment you already requested - if the scope encompasses all materials. To answer your question, yes, I have some e-mails about this facility. I will work on making your deadline (3/25). Thanks.

- Andrew

Andrew Chew, P.E.
Disability Employment Program Manager, OCR
T: (415) 947-4197 | F: (415) 947-3579 | chew.andrew@epa.gov
U.S. EPA, Region 9, TRI/Air Enforcement Section (ENF-2-1) | 75 Hawthorne St., San Francisco, CA 94105

From: Buchanan, Tiffini
Sent: Tuesday, March 18, 2014 11:16 AM
To: R9-AIR3; Bussey, Carol; Christenson, Kara; Coral, Edgar; Hong, Jeanhee; Kim, David; Leon, Sandra; Lieben, Ivan; Lyons, Ann; Mintz, Tom; Reich, Daniel; Riedel, Brian; Smith, Noah; Spiegelman, Nina; Walters, Julie; Wehling, Jefferson; Withey, Charlotte; Zabel, Allan; Salazar, Matt; Adeduro, Kingsley; Aldred, Charles; Basinger, David; Chew, Andrew; Ho, Yenhung; LOWE, DEBBIE; Sims, Mark; Steiner, Cyntia
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Thanks so much!

Tiffini Buchanan
Environmental Engineer
Air Permits Office
EPA Region 9
(415) 972-3943

Sims, Mark

From: Chew, Andrew
Sent: Tuesday, March 18, 2014 11:22 AM
To: Buchanan, Tiffini
Cc: Sims, Mark; Salazar, Matt
Subject: RE: Looking for Information on Blue Lake Power/ Ultra Power 3 / Renewable Energy Providers

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Andrew Chew, P.E.
Disability Employment Program Manager, OCR
T: (415) 947-4197 | F: (415) 947-3579 | chew.andrew@epa.gov
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Thanks so much!

Tiffini Buchanan
Environmental Engineer
Air Permits Office
EPA Region 9
(415) 972-3943

Sims, Mark

From: Basinger, David
Sent: Tuesday, March 18, 2014 11:20 AM
To: Buchanan, Tiffini
Cc: Sims, Mark
Subject: RE: Looking for Information on Blue Lake Power/ Ultra Power 3 / Renewable Energy Providers

I don't have anything, but Mark Sims might have responsive documents

Dave Basinger

Environmental Engineer, Air & TRI Enforcement
Enforcement Division, Mail Code ENF-2-1
office 415.972.3506
fax 415.947.3545 (include name and mail code)
[please consider the environment before printing this](#)

From: Buchanan, Tiffini
Sent: Tuesday, March 18, 2014 11:16 AM
To: R9-AIR3; Bussey, Carol; Christenson, Kara; Coral, Edgar; Hong, Jeanhee; Kim, David; Leon, Sandra; Lieben, Ivan; Lyons, Ann; Mintz, Tom; Reich, Daniel; Riedel, Brian; Smith, Noah; Spiegelman, Nina; Walters, Julie; Wehling, Jefferson; Withey, Charlotte; Zabel, Allan; Salazar, Matt; Adeduro, Kingsley; Aldred, Charles; Basinger, David; Chew, Andrew; Ho, Yenhung; LOWE, DEBBIE; Sims, Mark; Steiner, Cyntia
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Environmental Engineer
Air Permits Office
EPA Region 9
(415) 972-3943

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Tiffini Buchanan
Environmental Engineer
Air Permits Office
EPA Region 9
(415) 972-3943

Sims, Mark

From: Sims, Mark
Sent: Friday, February 28, 2014 10:49 AM
To: Salazar, Matt
Subject: Accepted: Blue Lake Power discussion Cross Agency Issues

Sims, Mark

From: Sims, Mark
Sent: Friday, January 24, 2014 8:36 AM
To: Zhang, Xiao;Lieben, Ivan
Subject: FW: Extension to Comply with CAA 114 Letter dated January 8, 2014 (Granted)

From: Sims, Mark
Sent: Friday, January 24, 2014 8:35 AM
To: 'Glenn Zane'
Subject: Extension to Comply with CAA 114 Letter dated January 8, 2014 (Granted)

Hi Glenn,

EPA approves your extension request to respond to EPA's CAA 114 letter. EPA also waives the requirement that Blue Lake Power Bates Stamp and pdf responsive documents. Please postmark your complete response to EPA's CAA 114 letter by February 14, 2014.

Feel free to contact me if you have any questions.

Mark
415-972-3965

From: Glenn Zane [<mailto:gzane@CRSINET.COM>]
Sent: Saturday, January 18, 2014 12:49 PM
To: Sims, Mark
Subject: Request for time to comply with Request Letter dated January 8, 2014

Mark:

Attached you will find a letter I have mailed today requesting a short additional amount of time to allow us to comply and gather the data to be included. We are gathering the data and believe we will be able to answer the request with the addition of time. As in the case of the former response, we will not be able to provide the Bates Stamps and Searchable PDF formats.

Glenn

Glenn Zane
Continental Resource Solutions Inc.
1615 Continental Street, Suite 100
Redding, CA 96001

530-246-2455 - Office
530-515-7007 - Cell
gzane@crsinet.com

Sims, Mark

From: Sims, Mark
Sent: Friday, January 24, 2014 8:35 AM
To: Glenn Zane
Subject: Extension to Comply with CAA 114 Letter dated January 8, 2014 (Granted)

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415-972-3965

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Glenn

Glenn Zane
Continental Resource Solutions Inc.
1615 Continental Street, Suite 100
Redding, CA 96001

530-246-2455 - Office
530-515-7007 - Cell
gzane@crsinet.com

Sims, Mark

From: Sims, Mark
Sent: Thursday, January 09, 2014 10:38 AM
To: Zabel, Allan;Israels, Ken
Subject: Remarkable!

Wow!

From: Anaya, Mercedes
Sent: Thursday, January 09, 2014 10:25 AM
To: Sims, Mark
Subject: RE: 2nd BLP 114 (For Enf Div Reading File)

Good morning Mark, Enforcement do not have reading files, so I do not need copy of the letters.

From: Sims, Mark
Sent: Thursday, January 09, 2014 10:21 AM
To: Anaya, Mercedes
Subject: FW: 2nd BLP 114 (For Enf Div Reading File)

Hi Mercedes,

Attached is a pdf of the signed/dated 114 letter for Blue Lake Power (for the Enforcement Division reading file).

Mark
2-3965

From: Sims, Mark
Sent: Wednesday, January 08, 2014 2:58 PM
To: Zhang, Xiao; Lieben, Ivan
Subject: 2nd BLP 114

Sims, Mark

From: Anaya, Mercedes
Sent: Thursday, January 09, 2014 10:25 AM
To: Sims, Mark
Subject: RE: 2nd BLP 114 (For Enf Div Reading File)

Good morning Mark, Enforcement do not have reading files, so I do not need copy of the letters.

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2-3965

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Sent: Wednesday, January 08, 2014 2:58 PM
To: Zhang, Xiao; Lieben, Ivan
Subject: 2nd BLP 114

Sims, Mark

From: Salazar, Matt
Sent: Monday, December 16, 2013 2:10 PM
To: Lieben, Ivan;Sims, Mark;Zhang, Xiao
Subject: FW: FW: Blue Lake Power (BLP)

From: Al Steer [mailto:asteer@ncuaqmd.org]
Sent: Monday, December 16, 2013 1:28 PM
To: Salazar, Matt
Subject: Re: FW: Blue Lake Power (BLP)

Hi Matt,
The proposed permit will be in their hands in the next two weeks.
We hope to have the final permit in their hands before the end of February.

On Mon, Dec 16, 2013 at 12:04 PM, Salazar, Matt <Salazar.Matt@epa.gov> wrote:

Hi Al,

Quick question. Do you mean a proposed Title V permit or a final one?

Thanks,

Matt

From: Salazar, Matt
Sent: Monday, December 16, 2013 10:18 AM
To: alsteer@ncuaqmd.org

Subject: RE: Blue Lake Power (BLP)

Hi Al,

Thanks for the heads up.

Matt

From: Al Steer [<mailto:asteer@ncuaqmd.org>]
Sent: Friday, December 13, 2013 4:09 PM
To: Salazar, Matt
Subject: Blue Lake Power (BLP)

Hi Matt

Just a heads up that in about February, we will be issuing a new Title V permit to BLP.

Respectfully,

Al Steer

Al Steer
Compliance & Enforcement Manager
North Coast Unified AQMD
2300 Myrtle Avenue
Eureka, CA 95501-3327
(707) 443-3093 Ext 119
alsteer@ncuaqmd.org
<http://www.ncuaqmd.org>

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Please consider our environment before printing this email.

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Sims, Mark

From: Salazar, Matt
Sent: Monday, December 16, 2013 12:57 PM
To: Lieben, Ivan;Sims, Mark;Zhang, Xiao
Subject: FW: Blue Lake Power

fyi

From: Rick Martin [mailto:rmartin@ncuaqmd.org]
Sent: Monday, December 16, 2013 12:43 PM
To: Salazar, Matt
Subject: Blue Lake Power

Hi Matt - I want to follow up on Al's e-mail earlier today. BLP's TV renewal has gone through public comment and a preliminary review by the Permits Group there at EPA. We have received a few good suggestions from EPA that we've incorporated into the permit.

We're getting ready to send it to R9 for your 45 day review. I don't know how much of this Al passed on to you, but I wanted him to make sure you knew where the permit was in the review process so that you could touch base with EPA's permitting group if you needed.

Please let me know if you have any questions.

Rick

--

Rick Martin
Air Pollution Control Officer
North Coast Unified Air Quality Management District

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Sims, Mark

From: Salazar, Matt
Sent: Monday, December 16, 2013 10:18 AM
To: alsteer@ncuaqmd.org
Subject: RE: Blue Lake Power (BLP)

Hi Al,
Thanks for the heads up.
Matt

From: Al Steer [mailto:alsteer@ncuaqmd.org]
Sent: Friday, December 13, 2013 4:09 PM
To: Salazar, Matt
Subject: Blue Lake Power (BLP)

Hi Matt

Just a heads up that in about February, we will be issuing a new Title V permit to BLP.

Respectfully,

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Sims, Mark

From: Sims, Mark
Sent: Thursday, December 05, 2013 1:12 PM
To: Zhang, Xiao
Cc: Lieben, Ivan
Subject: FW: Blue Lake Power, North Coast

From: Salazar, Matt
Sent: Wednesday, December 04, 2013 4:35 PM
To: Sims, Mark; Lieben, Ivan
Cc: Jones, Joel E.
Subject: FW: Blue Lake Power, North Coast

Hi Mark and Ivan,

I mentioned to Al at the CAPCOA meeting that we were planning to work jointly with them on this case. Would you be able to follow-up with Al this week (or draft some sort of response for me to send to Al) and schedule a call or some next step?

Thanks,
Matt

From: Al Steer [<mailto:asteer@ncuaqmd.org>]
Sent: Wednesday, December 04, 2013 12:41 PM
To: Salazar, Matt
Subject: Blue Lake Power, North Coast

Hi Matt
Any movement with the BLP case?

Respectfully,

Al Steer

Al Steer
Compliance & Enforcement Manager
North Coast Unified AQMD
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Sims, Mark

From: Sims, Mark
Sent: Thursday, December 05, 2013 12:32 PM
To: Zhang, Xiao
Subject: Accepted: Blue Lake Power

Sims, Mark

From: Salazar, Matt
Sent: Wednesday, December 04, 2013 4:35 PM
To: Sims, Mark; Lieben, Ivan
Cc: Jones, Joel E.
Subject: FW: Blue Lake Power, North Coast

Hi Mark and Ivan,

I mentioned to Al at the CAPCOA meeting that we were planning to work jointly with them on this case. Would you be able to follow-up with Al this week (or draft some sort of response for me to send to Al) and schedule a call or some next step?

Thanks,
Matt

From: Al Steer [mailto:asteer@ncuaqmd.org]
Sent: Wednesday, December 04, 2013 12:41 PM
To: Salazar, Matt
Subject: Blue Lake Power, North Coast

Hi Matt
Any movement with the BLP case?

Respectfully,

Al Steer

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Compliance & Enforcement Manager
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Sims, Mark

From: Sims, Mark
Sent: Thursday, November 14, 2013 10:13 AM
To: Zhang, Xiao
Subject: Accepted: Blue Lake Power 114 Request

Sims, Mark

From: Luckhardt, Jane <JLuckhardt@DowneyBrand.com>
Sent: Tuesday, October 01, 2013 8:27 AM
To: Lieben, Ivan
Cc: Sims, Mark
Subject: RE: Review of submitted Blue Lake Power documents

Ivan – I was out on Friday, but have read your request. I will forward the request on to my client. Please remember that this is a 10 MW biomass plant and much of the information you request does not exist. For example, I have not seen anything that resembles an engineering study for any work done on the facility. I know this may be difficult to understand given the responses you get from larger facilities. Nonetheless, I will ask them to review your request again to be sure there is nothing else they can provide.

Jane

Jane E. Luckhardt

Advancing your interests.

DOWNEY | BRAND
ATTORNEYS LLP

621 Capitol Mall, 18th Floor
Sacramento, CA 95814
916-444-1000 Main
916-520-5348 Direct
916-520-5748 Fax
JLuckhardt@DowneyBrand.com
www.downeybrand.com

From: Lieben, Ivan [mailto:Lieben.Ivan@epa.gov]
Sent: Friday, September 27, 2013 2:08 PM
To: Luckhardt, Jane
Cc: Sims, Mark
Subject: Review of submitted Blue Lake Power documents

Dear Jane:

After an initial review of Blue Lake Power's September 13 and September 23 responses to EPA's July 16, 2013 information request, we have determined that the responses to Requests #19 and #20 do not appear to be complete and seek the following additional information/details:

- Request #19 requires that Blue Lake Power provide with specificity in a chart form, a list of each and every individual project with a cost of greater than \$5,000. There are a number of items of information that must be included in that chart, including the date construction commenced on the project, the project description, the in-service date, etc. While Blue Lake did provide a chart as part of its September 23 submittal that it claimed to be responsive to this Request and identified projects that totaled over \$6,000,000 in cost, the chart did not contain any of the specificity required by the Request. Projects were grouped on an annual basis (rather than on a per project basis), had no description of the work performed, and were grouped by facility or process unit rather than individual projects. As part of its next deliverable on October 23, Blue Lake Power shall conform its response for this Request to include a chart with the required specificity and detail.

- Request #20 requires the submittal of various documents, including contracts, approvals, purchase orders, engineering studies, etc., associated with the projects identified in response to Request #19 with a cost of over \$25,000. While Blue Lake Power identified over \$6,000,000 spent from 2008-2010 on projects in response to Request #19, it provided a single 2008 contract that covers only around \$1,000,000 of work in its response to Request #20. Given the magnitude of the work performed and the large costs expended on these projects, EPA believes that there must be additional responsive documentation pertaining to the identified projects. Please ensure that Blue Lake Power diligently searches and provides all information and documents in its, its employees', and/or its contractors' control and/or possession responsive to Request #20 as part of its October 23 submittal.

As a reminder, Blue Lake Power has an affirmative duty to respond completely, fully and timely to the Section 114 information request, as modified by the August 16 email from Mr. Mark Sims to Mr. Glenn Zane, and any failure to do so could subject Blue Lake Power to penalties, an order to comply, or other appropriate relief under the Clean Air Act. Nothing in this email limits EPA from identifying additional deficiencies in any of Blue Lake Power's responsive submittals to the information request. We look forward to receiving Blue Lake Power's next and final submittal of responsive documents postmarked no later than October 23.

Sincerely yours,

Ivan Lieben, Assistant Regional Counsel
U.S. EPA Region 9, 75 Hawthorne Street
San Francisco, CA 94105
(415) 972-3914

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